



**HISTORIC LANDMARKS COMMISSION  
SYNOPSIS**

**WEDNESDAY, MAY 7, 2003**

**Evening Session  
6:00 P.M.  
City Hall, Room 204  
801 North First Street  
San Jose, CA**

**COMMISSION MEMBERS**

**GLORIA SCIARA, CHAIR  
STEPHEN POLCYN, VICE CHAIR**

**AVELINO LEGASPI**

**SANDRA PAIM**

## NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 277-4576 (VOICE) or (408) 998-5299 (TTY) at least two business days before the meeting.

## NOTICE TO THE PUBLIC

Good evening, my name is **Gloria Sciara**, and I am the Chair of the Historic Landmarks Commission. On behalf of the Commission, I would like to welcome you to tonight's meeting. I will now call to order the May7, 2003 meeting of the Historic Landmarks Commission. Please remember to turn off your cell phones and pagers.

When addressing the Commission, please approach the Commission, identify yourself and state your address for our records. After you have finished speaking, please write your name and address on the speaker's list at the end of the table.

### **The procedure for public hearings is as follows:**

- ? After the staff report, applicants may make a five-minute presentation.
- ? Anyone wishing to speak in favor of the proposal should prepare to come forward. Each speaker will have two minutes.
- ? After the proponents speak, anyone wishing to speak in opposition should prepare to come forward. Each speaker will have two minutes.
- ? Commissioners may ask questions of the speakers. These questions will not reduce the speaker's time allowance.
- ? The Commission will then close the public hearing. The Historic Landmarks Commission will take action on the item.

### **The procedure for referrals is as follows:**

- ? Anyone wishing to speak on a referral will be limited to one minute.
- ? Commissioners may ask questions of the speakers. These questions will not

**AGENDA**  
**ORDER OF BUSINESS**

**6:00 PM SESSION**

**1. ROLL CALL**

**JANKE AND PAIM ABSENT**

**2. DEFERRALS**

Any item scheduled for hearing this evening for which deferral is being requested will be taken out of order to be heard first on the matter of deferral. A list of staff-recommended deferrals is available on the table. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time.

**The matter of deferrals is now closed.**

**The following items are considered individually.**

**NOTICE TO THE PUBLIC**

**The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by a member of the Historic Landmarks Commission, staff or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please make your request at this time.**

**3. CONSENT CALENDAR**

**a. APPROVAL OF THE APRIL 2, 2003 SYNOPSIS**

**APPROVED 5-0-2, JANKE AND PAIM ABSENT**

GEORGE AND ROBERTA TRUSTEE, Owner). Council District 3. CEQA: Exempt.

**STAFF RECOMMENDATION: PLANNING STAFF RECOMMENDS THAT THE HISTORIC LANDMARKS COMMISSION FIND THAT THE PROPOSAL CONFORMS TO THE SECRETARY OF THE INTERIOR'S STANDARDS AND RECOMMEND APPROVAL OF THE PROPOSED ALTERATIONS TO THE DIRECTOR OF PLANNING WITH STANDARD AND SPECIAL CONDITIONS AS FOLLOW:**

- 1. FIND THAT THE COLORS AND MATERIALS ARE IN CONFORMANCE WITH THE SECRETARY OF THE INTERIOR'S STANDARDS**
- 2. RECOMMEND THAT THE REPLACEMENT WOOD FRAME WINDOWS ON THE FRONT FAÇADE ARE OF A SIMPLE ONE OVER ONE DOUBLE HUNG WOOD WINDOW TYPE**
- 3. FIND THAT THE REPLACEMENT MATERIALS FOR THE REAR ADDITION PORTION OF THE STRUCTURE ARE SUFFICIENTLY COMPATIBLE WITHOUT MIMICKING THE HISTORICAL MATERIALS**
- 4. FIND THAT THE NEW GUTTERS ARE IN CHARACTER WITH THE HISTORICAL CONTEXT OF THE SITE AND STRUCTURE**
- 5. RECOMMEND APPROVAL OF THE PROPOSED PROJECT TO THE DIRECTOR OF PLANNING.**

**STAFF RECOMMENDATION ADOPTED 5-0-2, JANKE AND PAIM ABSENT**

- b. HL03-147. SAN JOSE HISTORIC LANDMARK DESIGNATION OF THE RESIDENCE PRESENTLY LOCATED AT 128 PIERCE AVENUE. OWNER: STEVEN AND MARGARET CARLSON. CEQA: EXEMPT. COUNCIL DISTRICT: 3.**

**FOR INFORMATIONAL PURPOSES IN SUPPORT OF THE DESIGNATION**

**STAFF RECOMMENDATION ADOPTED 5-0-2, JANKE AND PAIM  
ABSENT**

- c. **NAMING CITY-OWNED FACILITIES, CALIFORNIA THEATRE.  
PROPOSED RENAMING OF THE FOX THEATRE AT 345 SOUTH  
FIRST STREET TO THE CALIFORNIA THEATRE.** Council District: 3.  
CEQA: Not a Project.

**JACK DOUGLAS AND JUDI HENDERSON SPOKE IN SUPPORT OF  
REVIVING THE ORIGINAL NAME.**

**TOM SIMON OF PAC SJ SPOKE TO SAY REPRODUCTION OF A  
DUPLICATE SIGN WOULD BE PREFERABLE TO REMOVING THE  
RELOCATED SIGN FROM ITS CURRENT LOCATION IN THE CITY  
OF DUNSMERE.**

**BILL EKERN OF THE SJRA CLARIFIED THAT THE THEATRE'S  
FAÇADE WILL BE RESTORED TO ITS 1927 APPEARANCE.**

**STAFF RECOMMENDATION: PLANNING STAFF RECOMMENDS  
THAT THE HISTORIC LANDMARKS COMMISSION FORWARD  
COMMENTS TO THE CITY COUNCIL IN SUPPORT OF THE  
PROPOSAL TO RENAME THE FOX THEATRE THE CALIFORNIA  
THEATRE.**

**STAFF RECOMMENDATION ADOPTED 5-0-2, JANKE AND PAIM  
ABSENT**

## **5. PETITIONS AND COMMUNICATIONS**

This portion of the agenda is reserved for persons desiring to address the Commission on any matter not on the agenda. Speakers are limited to 2 minutes. The law does not permit Commission action or extended discussion on any item not on the agenda except under special circumstances. If Commission action is requested, the matter can be placed on the next agenda. All statements that require a response will be referred to staff for reply in writing.

- c. Distribution and discussion of letter from the California Department of Transportation Regarding the Statewide Historic Bridge Survey.

**NO DISCUSSION**

- d. Discussion and action regarding the potential use of historic preservation funds for a Tax Credit Study for the City Landmark Vintage Towers at 235 – 241 East Santa Clara.

**SEVERAL COMMISSIONERS VOICED SUPPORT.**

- e. **JUDI HENDERSON REQUESTED A REPORT ON THE STATUS OF THE MONTGOMERY HOTEL REHABILITATION AND HAMBURGER MARY'S (THE LAUNDRYWORKS) FROM THE REDEVELOPMENT AGENCY**
- f. **CHAIR SCIARA REQUESTED A REPORT ON WORK BEING DONE ON THE RESIDENCE LOCATED AT 631 ORVIS STREET**

**6. REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS OR OTHER AGENCIES**

- a. **REPORT AND DISCUSSION REGARDING THE CIM MIXED USE DEVELOPMENT PROJECT IN THE DOWNTOWN COMMERCIAL HISTORIC DISTRICT -- DESIGN SCHEMATICS AND NEPA/NATIONAL HISTORIC PRESERVATION ACT REVIEW**

**RUTH SCHKADA AND DAVID NIEH FROM THE SAN JOSE REDEVELOPMENT AGENCY (SJRA) PROVIDED AN UPDATE ON THE DESIGN DEVELOPMENT FOR THE FOUNTAIN ALLEY AND SECOND AND SANTA CLARA INFILL SITES, NOTING THAT THE ARCHITECTS USED THE PROPOSED DESIGN GUIDELINES FOR THE HISTORIC DISTRICT IN THE DEVELOPMENT OF THEIR DESIGN.**

**BILL EKERN, SJRA, EXPLAINED THAT \$15 MILLION FROM HUD IS PROPOSED TO BE USED FOR SITE CLEANUP AND PARKING COSTS. THE USE OF FEDERAL FUNDS WITHIN AND ADJACENT TO**

**COMMISSIONER POLCYN STATED THAT THE DESIGN FOR 2<sup>ND</sup> AND SANTA CLARA HAS IMPROVED. CHAIR SCIARA STATED THAT THE HISTORIC AND ARCHAEOLOGICAL REPORTS WERE THOROUGH. COMMISSIONERS LEONG AND POLCYN REQUESTED ADDITIONAL MEETINGS TO REVIEW THE DESIGN DEVELOPMENT, AND SJRA STAFF AGREED TO SCHEDULE SUCH MEETINGS.**

**TOM SIMON, A MEMBER OF THE PUBLIC, STATED THAT THE DESIGN WAS HEADED IN A GOOD DIRECTION, BUT NOTED THE NEED TO REVIEW MORE FULLY DEVELOPED PLANS TO ENSURE SENSITIVITY TO THE HISTORIC DISTRICT. KATE BORUFF, PRESERVATION ACTION COUNCIL OF SAN JOSE STATED THAT SHE HAD ATTENDED THE DESIGN PRESENTATION LAST WEEK AND PAC SJ FELT THE PROJECT WAS HEADED IN THE RIGHT DIRECTION.**

**IN CONCLUSION CHAIR SCIARA REITERATED SUPPORT FOR THE HISTORIC AND ARCHAEOLOGICAL REPORTS NOTING THAT THE PROJECT SHOULD NOT IMPACT HISTORIC BUILDINGS AND RESPECT THE HISTORIC CONTEXT.**

- b. PDC 01-08-082 AND MCKEE NO. 120** Planned Development Rezoning and Rezoning from County to A(PD) Planned Development District and from A-Agricultural District to A(PD) Planned Development District to allow religious assembly and school uses on a 8.21 gross acre site and Annexation of 4.8 acres from the County of Santa Clara into the City of San Jose.

**COMMISSIONERS ASKED ABOUT THE USE OF METAL ROOFING INSTEAD OF THE CLAY TILE ON THE NEW CONSTRUCTION. THE ARCHITECT, JEFF BERG OF THE STEINBERG GROUP RESPONDED THAT BUDGET, STRUCTURAL AND MAINTENANCE CONSTRAINTS IMPACTED THE DECISION NOT TO USE TILE.**

**CHAIR SCIARA STATED THAT IT WAS A GREAT DESIGN, NOTING THAT THE ARCHITECTURE WAS CONTEMPORARY AND COMPLEMENTARY TO THE EXISTING ARCHITECTURE.**

**PROPOSED PROJECT WITH THE FOLLOWING PROVISION, AS STATED BY THE HISTORIC EVALUATION COMPLETED BY ARCHAEOLOGICAL RESOURCE MANAGEMENT, THAT FUTURE CONSTRUCTION OR RENOVATION OF THE CHURCH COMPLEX BE CONSISTENT WITH THE EXISTING ARCHITECTURAL STYLE.**

**STAFF RECOMMENDATION ADOPTED (5-0-2, JANKE AND PAIM ABSENT)**

**c. DISCUSSION REGARDING THE PROPOSED DOWNTOWN ZONING ORDINANCE**

**DENNIS KORABIAK OF THE SJRA INTRODUCED THE PROPOSED CHANGES TO THE DOWNTOWN ZONING REGULATIONS.**

**CHAIR SCIARA COMMENTED THAT BY NOT REQUIRING ADDITIONAL PARKING FOR ADDITIONS TO EXISTING HISTORIC STRUCTURES, PRESSURE TO ADD ON TO AND ALTER STRUCTURES MIGHT INCREASE.**

**COMMISSIONER LEONG STATED THAT SHE WAS IN FAVOR OF THE PROPOSAL TO ELIMINATE PARKING REQUIREMENTS FOR EXPANSIONS OF LANDMARK STRUCTURES BECAUSE IT WOULD ENCOURAGE RE-USE OF BUILDINGS.**

**VICE CHAIR POLCYN NOTED THAT CITY LANDMARKS WOULD STILL NEED TO GO THROUGH THE HP PERMIT PROCESS.**

**CHAIR SCIARA ASKED WHAT THE PROCESS WOULD BE FOR A PROPOSED PROJECT WITHIN ONE HUNDRED FEET OF A CITY LANDMARK OR A CONTRIBUTING STRUCTURE IN A CITY LANDMARK DISTRICT IF THE PROJECT CONFORMS TO THE DOWNTOWN DESIGN GUIDELINES.**

**DENNIS KORABIAK REPLIED THAT THE PROPOSED CHANGES TO THE REGULATIONS WOULD CODIFY REFERRAL TO THE HLC, WHILE ELIMINATING THE REQUIREMENT FOR A CONDITIONAL USE PERMIT.**



**DENNIS KORABIAK EXPLAINED THAT IT WAS SCHEDULED TO GO TO CITY COUNCIL IN EARLY JUNE FOR THE FIRST READING, AND IN EARLY AUGUST FOR THE SECOND READING.**

**JUDI HENDERSON STATED THAT THE HLC NEEDS TO REMAIN IN THE PROCESS AS MUCH AS POSSIBLE. SHE PROPOSED THAT THE HLC STUDY A TEST CASE SUCH AS THE WHITE LOTUS MARKET. SHE SUGGESTED THAT THE ONE HUNDRED FEET BE INCREASED TO THREE HUNDRED FEET, AND THAT THE DIAGRAM INCLUDE A LINE DRAWN WITHIN 300 FEET OF THE DOWNTOWN CORE AND AFFECTED PROPERTIES. HENDERSON ADDED THAT PAC SJ IS NOT IN FAVOR OF THE CURRENTLY PROPOSED HISTORIC DISTRICT DESIGN GUIDELINES AND THE FACT THAT THIS CHANGE RELIES ON THOSE GUIDELINES IS PROBLEMATIC.**

**DENNIS KORABIAK EXPLAINED THAT THE PROPOSED DESIGN GUIDELINES WERE PULLED OFF OF THE PLANNING COMMISSION AGENDA FOR THIS EVENING IN ORDER TO ADDRESS CONCERNS.**

**KATE BORUFF OF PAC SJ ASKED WHETHER INDIVIDUAL SITES OUTSIDE OF THE DISTRICT WOULD REFER TO THE SECRETARY OF THE INTERIOR'S STANDARDS. SHE ASKED THAT THE BOUNDARY BE SQUARED-OFF TO INCLUDE ALL OF THE SITES.**

**CHAIR SCIARA STATED THAT THE COMMISSION DID NOT WANT TO GIVE UP ANY PURVIEW.**

**FRANKLIN MAGGI SPOKE TO NOTE THAT THIS PROCESS DOES NOT ADDRESS CEQA, WHICH REFERENCES PROPERTIES THAT ARE FOUND TO BE ELIGIBLE FOR THE CALIFORNIA REGISTER.**

**VICE CHAIR POLCYN SAID THAT HE DID NOT FEEL CONFIDENT TO ACT ON THIS NOW, GIVEN THE AMOUNT OF INFORMATION THE COMMISSION HAS AT THIS POINT. HE NOTED THAT HE HAD MANY QUESTIONS AND THAT CHANGING THE ZONING ORDINANCE COULD HAVE MANY IMPACTS, SPECIFICALLY WITH LIMITED HISTORIC DESIGN GUIDELINES.**

located at the southeast corner of North 15th Street and East St. James Street (196 N 15TH ST) (Kuen-Yuan Chiou, Owner). Council District 3. CEQA: Exempt.

**DROPPED**

**7. GOOD AND WELFARE**

**a. REPORT FROM THE REDEVELOPMENT AGENCY**

**NO REPORT**

**b. REPORT FROM THE SECRETARY**

? Environmental Review Documents

- (1) Notice of Preparation for the San Jose Greater Downtown Strategy for Development: *Strategy 2000* San Jose Water Land Company Draft EIR

**THE NOP HAS BEEN MAILED TO COMMISSIONERS.  
THIS DEIR SHOULD BE CIRCULATED IN JUNE**

- (2) Draft EIR for FMC/Coleman Avenue Planned Development Rezoning

**THIS DEIR HAS BEEN MAILED TO COMMISSIONERS.  
COMMENTS ARE DUE IN BY MAY 29, 2003.**

- (3) Civic Center Offsite Garage/Fourth Street Parking Structure Project, Supplemental EIR

**THE SEIR SHOULD BE MAILED OUT TO  
COMMISSIONERS ON MAY 9, 2003. DISCUSSION WILL  
BE AGENDIZED FOR THE JUNE 4, 2003 HLC MEETING.**

? **PDCSH01-03-038 CINNABAR COMMONS/MUIRSON LABEL  
AND CARTON COMPANY COMPLEX**—report on May 6, 2003 tour  
of building for purposes of identifying salvage opportunities for public

- 2. REDWOOD RAFTERS/BEAMS**
- 3. ORIGINAL OFFICE FURNITURE**
- 4. DECORATIVE OBSCURED GLAZING**
- 5. SOLID TEAK OFFICE DOORS**
- 6. DOOR HARDWARE**
- 7. TIN FIRE DOORS: AMERICAN OPEN HEARTH BY BERGER MANUF. CO.**
- 8. STEEL GIRDERS**

**COMMISSIONER POLCYN NOTED THAT THEY DIDN'T HAVE ACCESS TO THE BUILDING WITH ART DECO FEATURES, AND THAT IT SHOULD ALSO BE LOOKED AT.**

**TOM SIMON ASKED WHERE THE PROJECT IS IN TERMS OF FUNDING AND EXPRESSED A CONCERN THAT THE STRUCTURE COULD BE DEMOLISHED PRIOR TO SECURING FUNDING.**

**COURTNEY DAMKROGER CLARIFIED THAT PROOF OF SECURED FUNDING IS A CONDITION FOR DEVELOPMENT PERMIT APPROVAL.**

**FRANKLIN MAGGI NOTED THAT PAC SJ DID OBTAIN ACCESS INTO THE FRONT BUILDING, WHICH HAD A 1930'S INTERIOR WITH FEATURES SIMILAR TO THE OTHER OFFICE BUILDING.**

**KATE BORUFF OF PAC SJ COMMENTED THAT IT WAS UNFORTUNATE TO SEE THE BUILDING BECAUSE INTACT IT WOULD CLEARLY MAKE A GREAT LIVE-WORK SPACE.**

**WORKING ON A PROJECT THAT COULD BE A MODEL FOR  
PRESERVING ENDANGERED COMMUNITIES IN CALIFORNIA.**

- ? Tour of IBM Building 25 at Cottle and Poughkeepsie scheduled for June 4, 2003 3:00 to 4:00 p.m.
- ? June 4, 2003 Historic Landmarks Commission to meet in Council Chambers at 5:30 p.m. for training on use of Chambers
- ? Discussion regarding July Historic Landmarks Commission meeting date.

**THE COMMISSION AGREED TO MEET ON JULY 2, 2003.**

**c. REPORT FROM THE SUBCOMMITTEES**

- ? Design Review

**NO REPORT**

- ? St. James Park

**NO REPORT**

- ? *Ad Hoc* Survey Committee

**NO REPORT**

- ? Standard permit language for Historical Archeology

**NO REPORT**

**8. ADJOURNMENT**

**APPROVED (5-2-0, JANKE AND PAIM ABSENT)**

## **2003 HISTORIC LANDMARKS COMMISSION MEETING SCHEDULE**

<b>DATE</b>	<b>TIME</b>	<b>TYPE OF MEETING</b>	<b>LOCATION</b>
May 7, 2003	6:00 p.m.	Regular Meeting	Room 204
May 21, 2003	12:00 p.m.	Design Review Meeting	Room 400
June 4, 2003	6:00 p.m.	Regular Meeting	Room 205
June 18, 2003	12:00 p.m.	Design Review Meeting	Room 400
July 9, 2003	6:00 p.m.	Regular Meeting	Room 204
July 16, 2003	12:00 p.m.	Design Review Meeting	Room 400
August 6, 2003	6:00 p.m.	Regular Meeting	Room 205
August 20, 2003	12:00 p.m.	Design Review Meeting	Room 400
September 3, 2003	6:00 p.m.	Regular Meeting	Room 205
September 17, 2003	12:00 p.m.	Design Review Meeting	Room 400
October 1, 2003	6:00 p.m.	Regular Meeting	Room 205
October 15, 2003	12:00 p.m.	Design Review Meeting	Room 400
November 5, 2003	6:00 p.m.	Regular Meeting	Room 205
November 19, 2003	12:00 p.m.	Design Review Meeting	Room 400
December 3, 2003	6:00 p.m.	Regular Meeting	Room 205
December 17, 2003	12:00 p.m.	Design Review Meeting	Room 400

HISTORIC LANDMARKS AGENDA ON THE WEB:

<http://www.ci.san-jose.ca.us/planning/sjplan/Hearings/hearings2003.htm>